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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,016	03/23/2004	John Light	42P18075	5703
8791 7590 01/08/2008 BLAKELY SOKOLOFF TAYLOR & ZAFMAN 1279 OAKMEAD PARKWAY SUNNYVALE, CA 94085-4040			EXAMINER YUN, EUGENE	
			ART UNIT 2618	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/808,016

Applicant(s)

LIGHT ET AL.

Examiner

Eugene Yun

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4,6,8-14,17,19,21 and 23-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6,8-14,17,19,21 and 23-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4, 6, 8-12, 14, 17, 19, 21, 23-25, 28, 29, and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamentsky et al. (US 2002/0122427) in view of Britt et al. (US 7,305,252).

Referring to Claim 1, Kamentsky teaches a method comprising:

Generating a moniker being associated with a device (fig. 6A);

Providing the moniker to one or more host devices, the one or more host devices including one or more services (see paragraph [0085]);

Kamentsky does not teach the device being a wireless device, and

Receiving a discovery message, at the wireless device, the discovery message broadcast over a wireless link from a host device; and

Determining whether the wireless device should respond to the discovery message broadcast by the host device if the discovery message includes the moniker associated with the wireless device.

Britt teaches the device being a wireless device 20 (fig. 9), and

Receiving a discovery message, at the wireless device, the discovery message broadcast over a wireless link from a host device (see col. 21, lines 21-24); and

Determining whether the wireless device should respond to the discovery message broadcast by the host device if the discovery message includes the moniker associated with the wireless device (see col. 21, lines 25-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Britt to said device of Kamentsky in order to improve the user friendliness of the device.

Referring to Claim 11, Kamentsky teaches a computerized method comprising:

Receiving a moniker, the moniker being associated with a mobile device (see paragraph [0085]).

Kamentsky does not teach discovering a mobile device with communications range of a host device including one or more services;

Broadcasting a discovery message to the discovered mobile device over a wireless link, the discovery message including the moniker; and

Receiving a response to the discovery message if the moniker indicated by the discovery message matches a moniker associated with the discovered mobile device.

Britt teaches discovering a mobile device with communications range of a host device including one or more services (see col. 21, lines 21-24);

Broadcasting a discovery message to the discovered mobile device over a wireless link, the discovery message including the moniker (see col. 21, lines 21-24);
and

Receiving a response to the discovery message if the moniker indicated by the discovery message matches a moniker associated with the discovered mobile device (see col. 21, lines 25-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Britt to said device of Kamentsky in order to improve the user friendliness of the device.

Referring to Claim 14, Kamentsky teaches an apparatus comprising:

A communication module to receive an inquiry message, wherein the inquiry message includes a moniker (see paragraph [0085]), the communications module to generate a response to the inquiry message upon determining the moniker is associated with the apparatus (see paragraph [0089]).

Kamentsky does not teach a wireless communications module to receive a discovery message broadcast over a wireless link from a host device including one or more services, and generating a response if the moniker indicated by the discovery message matches a moniker associated with the apparatus. Britt teaches a wireless communications module 20 (fig. 9) to receive a discovery message broadcast over a wireless link from a host device including one or more services (see col. 21, lines 21-24), and generating a response if the moniker indicated by the discovery message matches a moniker associated with the apparatus (see col. 21, lines 25-28). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Britt to said device of Kamentsky in order to improve the user friendliness of the device.

Referring to Claim 24, Kametnsky teaches an apparatus comprising:

A communications module to discover a mobile device within communications range of the apparatus (see paragraph [0085]). Kamentsky does not teach broadcasting a discovery message to the mobile device over a wireless link, the discovery message to include a moniker, the wireless communications module to receive a response to the discovery message if the moniker indicated by the discovery message matches the moniker associated with the mobile device. Britt teaches broadcasting a discovery message to the mobile device over a wireless link, the discovery message to include a moniker (see col. 21, lines 21-24), the wireless communications module to receive a response to the discovery message if the moniker indicated by the discovery message matches the moniker associated with the mobile device (see col. 21, lines 25-28). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Britt to said device of Kamentsky in order to improve the user friendliness of the device.

Referring to Claim 28, Kamentsky teaches a machine-accessible medium that provides instructions that, if executed by a machine, will cause the machine to perform operations comprising:

Receiving a moniker, the moniker being associated with a mobile device (see paragraph [0085]).

Kamentsky does not teach discovering a mobile device with communications range of a host device including one or more services;

Broadcasting a discovery message to the discovered mobile device over a wireless link, the discovery message including the moniker; and

Receiving a response to the discovery message if the moniker indicated by the discovery message matches a moniker associated with the discovered mobile device.

Britt teaches discovering a mobile device with communications range of a host device including one or more services (see col. 21, lines 21-24);

Broadcasting a discovery message to the discovered mobile device over a wireless link, the discovery message including the moniker (see col. 21, lines 21-24); and

Receiving a response to the discovery message if the moniker indicated by the discovery message matches a moniker associated with the discovered mobile device (see col. 21, lines 25-28).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Britt to said device of Kamentsky in order to improve the user friendliness of the device.

Referring to Claims 2 and 17, Kamentsky also teaches the moniker as one of a word, a phrase, and a digital image (see paragraph [0008]).

Referring to Claims 4 and 19, Kamentsky also teaches the moniker as alphanumeric (see paragraph [0008]).

Referring to Claims 6 and 21, Kamentsky also teaches the moniker including one of digital audio and a timestamp (see paragraph [0008]).

Referring to Claims 8 and 23, Kamentsky also teaches the moniker as a hash of at least one of a word, a phrase, an alphanumeric, a digital image, and a digital audio (see paragraph [0008]).

Referring to Claims 9 and 25, Kamentsky also teaches manually using an input device at the one or more host devices to provide the moniker (see paragraph [0084]).

Referring to Claim 10, Britt also teaches providing the moniker from the wireless device to the one or more host devices using out-of-band communications (see fig. 9).

Referring to Claims 12 and 29, Kamentsky also teaches receiving the moniker from a local input device (see paragraph [0084]).

Referring to Claim 31, Kamentsky also teaches storing the moniker within the first device (see paragraph [0007]).

3. Claims 13, 26, 27, and 30 rejected under 35 U.S.C. 103(a) as being unpatentable over Kamentsky and Britt and further in view of Vatanen (US 2002/0172190).

Referring to Claims 13, 26, and 30, Kamentsky does not teach a Bluetooth compatible message enhanced with the moniker. Vatanen teaches a Bluetooth compatible message enhanced with the moniker (see paragraph [0006]). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the teachings of Vatanen to said device of Kamentsky in order to better verify absolute correctness of the information communicated.

Referring to Claim 27, Vatanen also teaches send via wireless communications (see paragraph [0006]).

Response to Arguments

4. Applicant's arguments with respect to claims 1, 2, 4, 6, 8-14, 17, 19, 21, and 23-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eugene Yun whose telephone number is (571) 272-7860. The examiner can normally be reached on 9:00am-6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew D. Anderson can be reached on (571)272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Eugene Yun
Examiner
Art Unit 2618

EY


MATTHEW ANDERSON
SUPERVISORY PATENT EXAMINER